

Deposition of James Jones, taken November 29, 2016

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1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF MISSISSIPPI
3 OXFORD DIVISION

4 MICHAEL THOMPSON PLAINTIFF

5 VS. NO. 3:14cv274NBB-SAA

6 CALVIN HAMP, in his individual
7 capacity and in his official
8 capacity as sheriff of Tunica
9 County, MS, JAMES JONES, in his
individual capacity and in his
official capacity as a captain in
TUNICA COUNTY sheriff's office, and
UNKNOWN DEFENDANTS "A", "B" AND "C"

DEFENDANTS

10
11 *****
12 DEPOSITION OF JAMES JONES
13 *****
14
15

TAKEN AT THE INSTANCE OF THE PLAINTIFF
IN THE OFFICES OF TUNICA COUNTY SHERIFF'S DEPARTMENT
5126 OLD MHOON LANDING ROAD, TUNICA, MISSISSIPPI
ON NOVEMBER 29, 2016, BEGINNING AT 3:40 P.M.

16 APPEARANCES NOTED HEREIN

17 Reported by: REGINA D. RUSSELL, RPR, CCR 1110

18
19 ADVANCED COURT REPORTING
20 P.O. BOX 761
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1 APPEARANCES:

2 For the Plaintiff: E. CARLOS TANNER, III,
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1 JAMES JONES, after being duly sworn,
2 testified as follows:

3 EXAMINATION

4 BY MR. TANNER:

5 Q. All right. You are Mr. James Jones. And
6 I'm Carlos Tanner. I represent Michael Thompson, the
7 plaintiff in this case. We're here in Michael
8 Thompson versus Calvin Hamp -- excuse me, Hamp, James
9 Jones and Unknown Defendants "A", "B" and "C" in
10 Civil Action Number 3:14cv274NBB-SAA in the United
11 States District Court for the Northern District of
12 Mississippi, Oxford Division. And we are prepared
13 now to take the deposition of Defendant James Jones.
14 Mr. Jones is present represented by the Honorable
15 Michael J. Wolf. And we are taking this deposition
16 pursuant to the rules of -- the Federal Rules of
17 Civil Procedure and the local rules for the Northern
18 and Southern Districts of Mississippi.

19 And Mr. Jones has been placed under oath. And,
20 Mr. Jones, as you heard a moment ago when you were
21 here for Sheriff Hamp's deposition, I am going to ask
22 you just plain questions. The only thing we ask you
23 is that you give truthful answers. If there's any
24 point at which you do not understand something I ask
25 or if you need clarification, I beg you to please let

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1 me know and I'll do my best to clarify my question or
2 rephrase it, if possible. And if you have any
3 questions or need a break to consult with your
4 attorney, you know, you certainly have the right to
5 do that provided -- well, your attorney is very
6 capable, able and an experienced lawyer, he knows the
7 parameters. But, you know, like I said, if you have
8 any questions or anything, or if you need me to
9 repeat something, just let me know. Your attorney
10 also has the right to object as he sees appropriate,
11 but except with a few limited exceptions, even if he
12 objects you'll have to answer the question over the
13 objection basically. Michael?

14 MR. WOLF: Objections to form should
15 be stated on the record. Other objections reserved.
16 Witness is going to read and sign.

17 Q. (Mr. Tanner) All right. Sir, you are
18 Mr. James Jones?

19 A. That's correct.

20 Q. All right. In 2014, February of 2014, you
21 were Captain James Jones with the Tunica County
22 Sheriff's Department?

23 A. Yes, sir.

24 Q. All right. I understand that you have
25 since that time retired from Tunica County?

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1 A. Yes, sir.

2 Q. And are you employed anywhere now?

3 A. No, sir.

4 Q. All right. Did you ever become employed
5 anywhere after your retirement from Tunica County
6 Sheriff's Department?

7 A. I worked briefly at Cohoama Community
8 College doing some education work, mentoring young
9 men. I did that for a short period of time. I
10 eventually let it go. It tied up too much of my
11 time.

12 Q. How long were you in law enforcement with
13 Tunica County Sheriff's Department?

14 A. I got hired in Tunica County Sheriff's
15 Department March the 15th of 2010.

16 Q. You were hired, I take it, by Sheriff
17 Calvin Hamp?

18 A. Yes, sir.

19 Q. Did you have any law enforcement experience
20 prior to joining the Tunica County Sheriff's
21 Department?

22 A. Yes, sir.

23 Q. And where was that, sir?

24 A. I worked for the Mississippi Bureau of
25 Narcotics and I worked for the Panola County Task --

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1 Panola County/Tate County Drug Task Force. And I
2 worked for the Batesville Police Department.

3 Q. How many years combined law enforcement
4 experience did you have?

5 A. Twenty -- about maybe 23 hard years, that
6 and the military.

7 Q. Okay. And in what branch of the miliary
8 were you in?

9 A. United States Army.

10 Q. How long did you -- how much time did you
11 spend in the Army?

12 A. I retired about twenty-six and a half
13 years.

14 Q. Okay. On February 12, 2014, you arrested a
15 man that you know to be Michael Thompson?

16 A. Yes, sir.

17 Q. All right. And where did that arrest
18 occur? I know that arrest occurred in Tunica County,
19 Mississippi. Can you tell us where specifically it
20 occurred?

21 A. On Highway 61 North about a mile or mile
22 and a half from Casino Strip and Highway 61
23 intersection.

24 Q. Okay. What was the basis for the stop,
25 sir?

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1 A. I was traveling north on Highway 61. I saw
2 a vehicle going in and out of lanes of traffic,
3 obscuring. I didn't know what was going on, if he
4 was drunk or what was going on with it. So I pulled
5 the vehicle over to see, make sure it was okay. And
6 that's the nature of me pulling the vehicle over.

7 Q. Okay. Had you ever seen the vehicle
8 before?

9 A. No. Yeah, I think I've seen the vehicle
10 before. I mean, that vehicle, there are many
11 vehicles like that vehicle. But that particular
12 vehicle I hadn't seen it, you know what I'm saying.
13 I probably had seen it. I don't know. It's
14 different vehicles.

15 Q. All right. You didn't know what vehicle
16 you were stopping?

17 A. No.

18 Q. How many stops did you make that day?

19 A. That's the only stop I made.

20 Q. All right. At that time, February of 2014,
21 what percentage of your time did you spend patrolling
22 for traffic violations?

23 A. I didn't spend any percentage patrolling
24 traffic violations on that particular day. I was
25 taking care of my personal paperwork and reports that

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1 I needed to get done from here to the sheriff's
2 office.

3 Q. Okay. When you conducted the stop of
4 Mr. -- all right. On the night that you arrested
5 Mr. Thompson, he was traveling in what kind of
6 vehicle, sir?

7 A. You know, I really can't recall what kind
8 of vehicle it was.

9 Q. Was it a car, truck or SUV?

10 A. Might have been a truck-like vehicle. I'm
11 not for sure.

12 Q. How many times that night on February 12,
13 2014, did you stop that particular vehicle?

14 A. Twice.

15 Q. All right. During the first time that you
16 stopped that particular vehicle on February 12, 2014,
17 who was driving?

18 A. I think Mr. Alex Wiley, I believe his name
19 was.

20 Q. Had you heard that name before?

21 A. I had.

22 Q. In what capacity? I mean, tell us the
23 circumstances.

24 A. I know Mr. Alex's wife used to work at the
25 administration building for Tunica County.

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1 Q. How did you know that?

2 A. Just his name. Just his name. Of course,
3 we had an investigation looking into some stuff,
4 allegations pertaining to him and Mr. Thompson.

5 Q. All right. What were the -- tell us about
6 the investigation into -- did the investigation into
7 Mr. Wiley and Mr. Thompson relate? Was it a single
8 investigation into the both of them?

9 A. It was a single investigation into the both
10 of them.

11 Q. All right. Tell me the details of that
12 investigation, what it was about.

13 A. Well, it was about them possibly, you know,
14 extorting money from a particular county, Tunica
15 County.

16 Q. Extorting?

17 A. Not necessarily. I'm not going to use the
18 terminology extorting. Them using their business
19 ties and their personal -- they had a business, their
20 personal, I think it was Thompson and Wiley Company.
21 And them just looking out for one another as far as
22 them getting tied up with Tunica County, working
23 together in Tunica County. Looking at some ethics
24 violations pretty much so.

25 Q. You were looking for some ethics

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1 violations?

2 A. Yeah. We had contacted the ethics
3 commission. We were just working the case. It was a
4 preliminary investigation. We was working it. We
5 contacted -- well, the sheriff contacted the ethics
6 commission from that point and just trying to find
7 out -- make sure everything was up and up with those
8 guys.

9 Q. Okay. Did you have -- did you find that
10 everything was on the up and up or that everything
11 was not on the up and up?

12 A. Well, shortly after that, after the
13 investigation was going, it was a continuous
14 investigation, I couldn't say whether it was or it
15 wasn't. Because after all of the arrest and things
16 like that occurred, then the sheriff contacted the
17 individuals from the ethics commission and some more
18 people and they met at a round table meeting here in
19 Tunica County. They discussed everything. They
20 took -- they gave all the evidence we had to them and
21 from that point they're dealing with that issue.

22 Q. Okay. So that round table meeting with the
23 ethics commission and who else was present?

24 A. I think somebody from the AG's office, if
25 I'm not mistaken.

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1 Q. Okay. So this round table meeting with the
2 ethics commission and the AG's office occurred after
3 the arrest you made of Mr. Thompson on February 12,
4 2014?

5 A. That's correct.

6 Q. All right. When did the round table
7 meeting happen after the arrest?

8 A. I couldn't tell you. I don't know. I'm
9 not accurate on the date. I don't know.

10 Q. Okay. But you know it was after the arrest
11 itself?

12 A. Yes.

13 Q. All right. When did you start your
14 investigation into Mr. Thompson and Mr. Wiley?

15 A. It was maybe -- I don't know. It was
16 before -- it was going on prior to February and it
17 was going on into January, in January. I don't know
18 a particular date, but it was going on for a minute
19 before. I don't know the exact date, sir.

20 Q. Okay. Now, you've had a lot of experience
21 investigating; would that be fair?

22 A. Yes, sir.

23 Q. All right. And based on that investigative
24 experience, you know you have to be detailed and
25 thorough in investigating criminal activity; is that

1 right?

2 A. Yes, sir.

3 Q. All right. Do you take notes or make
4 reports of the steps you take and the findings you
5 reach in investigating criminal activity?

6 A. It all depends. There are different
7 criminal activity. I can run a prostitution stand
8 and I don't need to take notes. I don't need to do
9 any of that. I can make a drug arrest, run a drug
10 operation, I have to take notes. Or I can do a plain
11 investigation, and I take mental notes. But if I'm
12 in a detail doing a homicide or cold case, then I'm
13 taking notes.

14 Q. Okay. Let's talk about this particular
15 investigation. Did you make notes of the steps you
16 took to investigate Mr. Thompson and Mr. Wiley?

17 A. What do you mean steps?

18 Q. Investigative steps.

19 A. Well, yes. First, I didn't take notes on
20 it. No, I didn't.

21 Q. Did you write reports?

22 A. No, I didn't write a report.

23 Q. Did you write reports -- when I say
24 investigative steps, what I mean is today I did X.
25 Yesterday I did Y. I pulled stuff off the internet.

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1 These are steps you take.

2 A. No, sir.

3 Q. You took no reports -- you made no reports
4 of any of those steps?

5 A. Are you referring to the initial
6 investigation of Thompson and Wiley?

7 Q. Yes, sir.

8 A. Which one are you referring to?

9 Q. The initial investigation.

10 A. Right. We pulled stuff off the internet.
11 I did things like that. Did the -- found stuff off
12 the internet, did things like that. Yes. Putting a
13 case file together? Yes, sir.

14 Q. All right. So you made a case file?

15 A. Yes. We put the case together.

16 Q. Did you make any reports or take any notes
17 of the stuff you gathered in your investigative file?

18 A. Yes. Everything should have been in the
19 investigative file.

20 Q. My question is whether you personally took
21 notes or made reports of what you were doing as part
22 of the investigation?

23 A. No, sir. I didn't take notes.

24 Q. All right. You didn't write reports
25 related to what you were gathering in your

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1 investigation?

2 A. No, sir. I didn't write a report on that
3 particular thing.

4 Q. So as we sit here today, you couldn't give
5 me, for example, any notes or reports that you wrote
6 related to this investigation?

7 A. No, sir. I can't.

8 Q. Okay. What triggered your investigation
9 into these people?

10 A. Me -- my supervisor, my boss, Sheriff Hamp,
11 and individuals complained about those two
12 individuals. So he called me and assigned me to look
13 into what was going on.

14 Q. Who were the people that complained about
15 these two?

16 A. I don't know. You have to take it up with
17 the sheriff. I don't know. I couldn't tell you. I
18 was informed after I was briefed by him.

19 Q. So none of these people actually talked to
20 you, it was the sheriff telling you that these people
21 were complaining?

22 A. That's correct.

23 Q. All right. So you didn't talk to -- so
24 other than pulling stuff off the internet, did you
25 talk to any witnesses about Mr. Thompson and

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1 Mr. Wiley in connection with your investigation into
2 their business?

3 A. You know, I don't know. I can't answer
4 that right now. I'm really not sure. Maybe I did,
5 maybe I didn't. I don't know.

6 Q. But you don't have any notes or reports
7 that would tell us whether you did or refresh your
8 recollection about who you might have talked to in
9 connection with that investigation?

10 A. Not right now I can't recall, sir.

11 Q. So basically your catalyst into
12 investigating these two is basically an instruction
13 from the sheriff based on what he said he heard from
14 citizens?

15 A. That's correct.

16 Q. All right. Let's talk about -- now, the
17 vehicle you were traveling in on the night you
18 arrested sheriff -- I mean, arrested Michael Thompson
19 and Alex Wiley, or the night you stopped them and
20 arrested Michael Thompson, that was a county-issued
21 vehicle?

22 A. Yes, sir.

23 Q. It cannot record.

24 A. No, sir. It can't record.

25 Q. Okay. So you have no video or audio of

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1 your stop that you or your vehicle made in connection
2 with the stop of Alex Wiley and Michael Thompson?

3 A. My vehicle? Not my vehicle.

4 Q. All right. Who else was on the scene that
5 night?

6 A. I think Lieutenant Clayton, he was there.
7 He did have video. His vehicle is a patrol unit, he
8 had video. Michael, Mike Strickland, Michael
9 Strickland, I believe.

10 Q. Okay.

11 A. And a couple more people arrived.

12 Q. Did you ask for backup during this stop?

13 A. I called for backup.

14 Q. All right. Did you call them directly or
15 did you call them over dispatch?

16 A. Over the radio.

17 Q. All right. Is that how they knew -- to
18 your knowledge, is that how they knew that you were
19 stopping a vehicle?

20 A. Yes. Over the radio traffic.

21 Q. Was that your only time seeing Michael
22 Strickland that day?

23 A. No. I saw him earlier.

24 Q. All right. Tell us what happened and where
25 you saw him earlier that day.

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1 A. What do you mean?

2 Q. Where were you when you saw Michael
3 Strickland earlier than your arrest? Let's back up.
4 On the day of your arrest of Michael Thompson, prior
5 to that arrest when and where did you see Michael
6 Strickland?

7 A. I saw him all throughout the day. You want
8 to be more specific what you're asking me? He was
9 working. I'm his supervisor. I saw him throughout
10 the day.

11 Q. Do you remember where you saw him?

12 A. At the sheriff's office here. At the
13 special operations office over by the courthouse.
14 Driving and passing.

15 Q. All right. Did you have a conversation
16 with Michael Strickland on the day you arrested
17 Michael Thompson?

18 A. Yes, sir.

19 Q. Prior to your actual stop of Michael
20 Thompson?

21 A. Yes, sir.

22 Q. All right. Can you tell us whether you
23 talked about making a stop later on the evening or
24 afternoon of February 12, 2014, when you talked to
25 Michael Strickland earlier on that day?

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1 A. Yes, sir. I was parked right behind
2 special operations, my office. I called Michael
3 Strickland. I was doing a report on my computer. I
4 informed him that stand by, I got some intel, might
5 be a vehicle coming in out of Helena, Arkansas, with
6 some drug trafficking. We had popped a lot of -- we
7 got about three or four ounces of cocaine and a
8 couple of pounds of weed from the vehicle the
9 following week. An informant had give me a call. I
10 didn't give him any information. I told him to stand
11 by.

12 Q. The week after you arrested Michael
13 Thompson?

14 A. No, sir. This was before, previously.

15 Q. You mean the previous week?

16 A. Previous week.

17 Q. Okay. So the reason you stopped -- the
18 reason you -- all right. Tell us how that
19 conversation went between you and Michael Strickland
20 when you told him there was going to be an arrest?

21 A. I didn't tell him there was going to be an
22 arrest.

23 Q. Or when you told him that you had some
24 intel?

25 A. I just told him, I just told him to stand

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1 by, I got a vehicle that might be coming into town
2 that is going to possibly have narcotics involved in
3 it. I said when you get off at 5:00 just stand by.
4 Your time will be taken care of.

5 Q. What time was that vehicle supposed to come
6 through your area?

7 A. I don't know, sir. These are drug
8 traffickers. I can't begin to tell you.

9 Q. So how were you -- what -- how were you
10 going to capture these drug dealers coming through
11 your town?

12 A. When they come through get from the
13 informant, get all the information from the
14 informant, which I had, and just know what I was
15 looking for. I was going to get Deputy Mark, get him
16 to do a probable cause stop on that vehicle. That's
17 what we normally do.

18 Q. How were you going to do a probable cause
19 stop on the vehicle? You were going to do a probable
20 cause stop on the vehicle. How do you know you would
21 have probable cause?

22 A. An experienced deputy can get probable
23 cause.

24 Q. What do you mean by that?

25 A. Exactly what I said. An experienced deputy

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1 can get probable cause to stop a vehicle. We spot
2 them from the end of the county to the other end of
3 the county. There might be some violation that
4 deputy is going to see that he can stop that
5 particular vehicle on.

6 Q. So if you make your mind up that this
7 vehicle is one that needs to be stopped you can make
8 sure that there's going to be probable cause
9 somewhere during that stop?

10 A. No, sir. That's not what I'm saying.

11 Q. Well, please explain, sir.

12 A. What I'm saying to you, any time -- your
13 deputy don't have a radar in that vehicle. But any
14 time you're following a vehicle or you're watching
15 for any violation of the law, whether it's my vehicle
16 or anybody's vehicle, an experienced deputy, an
17 experienced law enforcement officer, police, I'm sure
18 he can adhere to some probable cause. If he can't,
19 then let that vehicle go.

20 Q. But you just said anybody can do it?

21 A. That's correct.

22 Q. So you're saying if you can't you let the
23 vehicle go. You just said --

24 A. In other words, if you don't have probable
25 cause you don't stop that vehicle. But if you do,

1 you get probable cause, you stop the vehicle.

2 Q. Yeah. But that applies to anybody. Tell
3 me what you mean when you said an experienced law
4 enforcement officer can get probable cause.

5 A. Exactly what I said. An experienced law
6 enforcement officer can get probable cause. If he
7 don't get it, then you let the vehicle go. But any
8 violation of the law, whether you're weaving, you
9 come over in the other lane, or you go off the side
10 of the road, whatever it may be, you know, you can
11 get probable cause.

12 Q. That's fair. So where were you -- did you
13 know where the vehicle, like what highway this drug
14 vehicle was supposed to be traveling on?

15 A. Yeah. 61 North.

16 Q. 61 headed north?

17 A. That's correct. Headed to Memphis.

18 Q. Okay. What was supposed to be in the car?

19 A. Narcotics. That's all the informant told
20 me, narcotics.

21 Q. So the dope was supposed to be headed from
22 rural Mississippi to the big city of Memphis?

23 A. No. Arkansas to Memphis.

24 Q. Okay. West Arkansas to Memphis?

25 A. West Helena -- coming through West Helena,

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1 Arkansas, which runs on 49 and intersects Highway 61.
2 Then 61 travels straight to Memphis.

3 Q. Did you make a report of this?

4 A. No. Just intel from the incident
5 informant. Same informant that gave me several
6 ounces a week or two before. It was from the
7 informant.

8 Q. So basically there are no notes, there's no
9 reports that I could pull or find that would show
10 that you had this intel?

11 A. No, sir. Just only mental notes. An
12 informant -- let me tell you something about an
13 informant. Some informants are good, some aren't.
14 Some lie. Some are on point. So I had to make a
15 mental note. Now, if we had got the narcotics, that
16 would have been different. Everything would have
17 been documented, a report would have been done and et
18 cetera, et cetera.

19 Q. Okay. Did you ever see the narcotics?

20 A. Uh-huh (Indicating yes).

21 Q. Did you ever -- did your snitch or whatever
22 ever touch base with you and tell you that the
23 narcotics came through like they said?

24 A. No, sir.

25 Q. Did your -- so was the snitch wrong or what

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1 happened?

2 A. I don't know. I don't know. I didn't hear
3 back from him at the time. I tried to call, call and
4 see if he would call me back and that was it. By
5 that time there I saw Mr. Alex, whatever his name is,
6 the car on 61 driving in and out of the lanes.

7 THE COURT REPORTER: In and out of the
8 lanes?

9 THE WITNESS: Yes, ma'am. Going in
10 and out of both lanes.

11 Q. (Mr. Tanner) How were you -- I mean, how
12 were you conducting your narcotics operation that
13 day? Were you sitting on the side of the road or
14 were you traveling? What were you doing?

15 A. I was sitting on the side of the road. I
16 was sitting by watching.

17 Q. Sitting by watching?

18 A. Uh-huh (Indicating yes).

19 Q. So if we're going 61 North, were you on the
20 east side of the highway or the west side of the
21 highway?

22 A. I was parked at McDonald's initially on the
23 east side of the highway in the center of town.

24 Q. Okay. And so then what happened?

25 A. What do you mean what happened?

1 Q. You were parked there waiting to hear from
2 the narcotics informant, right?

3 A. No. I was just parked there. I was just
4 moving around. I wasn't waiting for anything. I was
5 moving at my own disposal.

6 Q. And around what time did your stop happen?

7 A. I can't recall the time. I don't know. I
8 don't want to say something that's not accurate.

9 Q. You said you told Michael Strickland, then
10 a police officer -- a sheriff's deputy with your
11 department to be on standby. What does that mean?
12 What was he supposed to do?

13 A. Stand by, I might need his assistance.

14 Q. Was he supposed to be in a particular area?

15 A. No, sir.

16 Q. What was supposed to happen?

17 A. No. Wait on my radio traffic.

18 Q. Okay. And that's -- so after -- was that
19 the last conversation you had with Michael Strickland
20 prior to the arrest, the one where you told him you
21 had the intel and you were going to contact him if
22 the intel came through or whatever?

23 A. I didn't tell him about any intel. I told
24 him to stand by, I might need his assistance. That's
25 what I told Mike Strickland.

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1 Q. Okay. Let's back up. Tell me the sum
2 total of what you told Michael Strickland about this
3 whole standby, I might need you. Tell me everything
4 you told him about that situation.

5 A. Okay. Let me repeat to you again. I
6 called Michael to me, I gave Michael something, I
7 don't know what it was. I don't know what it was. I
8 told Michael to stand by, I might need him for later
9 on. I didn't give him any intel, I didn't tell him
10 anything. I know he told me he get off at 5:00. I
11 said, that's fine. From that point I told him just
12 hold tight before he clocked out and get up with me
13 before he clocked out and I'd take care of his time.
14 And that was it.

15 Q. That's all you told him?

16 A. That was it.

17 Q. Did you end up ever calling him for the
18 standby situation?

19 A. I'm sorry?

20 Q. Did you end up contacting him like you said
21 about the situation for your standby?

22 A. I called him. When I saw the vehicle in
23 and out of traffic, I needed some assistance. It was
24 dark. You never stop a vehicle in the dark alone if
25 you're a deputy out here.

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1 Q. Okay. And when you say you called him, do
2 you mean over dispatch? Earlier you said he listened
3 to your traffic. Are you saying something different
4 now?

5 A. No, no. I'm not saying anything different.

6 Q. All right. Did you make a phone call to
7 him after 5:00 p.m. on the date of the arrest?

8 A. I don't know if I called him on the phone
9 or whether I called him on the radio. I don't know.
10 I really can't recall.

11 Q. Okay. And if he just listened to your
12 dispatch, I mean, that's usually like anybody in the
13 area come out, I'm about to make a stop, right?

14 A. That's correct.

15 Q. But if you called him on the phone
16 specifically, that's hey, I want you to come help me
17 out; is that accurate?

18 A. That's kind of accurate.

19 Q. All right. But you don't know which of
20 those two it was?

21 A. I don't know because more than him showed
22 up.

23 Q. Did you tell anybody else that you had this
24 standby stop?

25 A. No. It had to be on the radio because

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1 Lieutenant Clayton showed up. So I think I had to
2 have put it out on the radio.

3 Q. And you had not told Lieutenant Clayton
4 that you were going to be making a stop or that you
5 had this intel?

6 A. No. No one.

7 Q. All right. And so when you saw this
8 vehicle weaving in and out of traffic, did you think
9 that this might be the one that your drug snitch told
10 you about?

11 A. No, sir. I thought it was a drunk.

12 Q. All right. When you testified at Michael
13 Thompson's municipal court trial and at his appeal,
14 did you ever mention this information about the drug
15 court's snitch -- I mean, the drug informant or
16 anything like that?

17 A. No, it never came up.

18 Q. All right. So while you were waiting on
19 the informant to call you back, what exactly was it
20 that you were doing in the meantime?

21 A. I probably was just -- I don't know.
22 Probably was driving back and forth, posted up on
23 highways just waiting. That was it.

24 Q. Waiting on the call?

25 A. Waiting on the call. Waiting to respond.

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1 Just moving around. Moving around the county, back
2 and forth on Highway 61.

3 Q. All right. Now, on this particular day --
4 now, you stopped -- what time -- how long have you
5 been in this county working?

6 A. March 2010 to February 2014.

7 Q. You left in February 2014?

8 A. I retired the 28th. February 28th I
9 retired.

10 Q. So two weeks after this stop you retired?

11 A. Yes. It was already on go. I had already
12 planned that.

13 Q. So when you -- so being here for
14 approximately four years, you knew what time city
15 offices closed?

16 A. I'm sorry?

17 Q. What time do the county offices close
18 around here?

19 A. Universal it's 5 o'clock.

20 Q. Five o'clock?

21 A. Uh-huh (Indicating yes). All over the
22 state of Mississippi.

23 Q. All right. And how much after 5 o'clock
24 was it that you stopped Alex Wiley and Michael
25 Thompson?

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1 A. You know, I don't know the time I stopped
2 them. I can't recall it. I don't have anything in
3 front of me. I don't know. Something that's not
4 accurate, I don't want to give you something that's
5 not accurate.

6 Q. You had this investigation going. Will 61
7 lead you to Memphis from Tunica?

8 A. Yes, sir.

9 Q. All right. Did your investigation reveal
10 that Michael Thompson or Alex Wiley were from
11 Memphis?

12 A. My investigation revealed that Mr. -- the
13 Thompson originally from South Mississippi, I believe
14 the Brandon area maybe, I believe, I'm not for sure.
15 But I don't know where Thompson was from -- not
16 Thompson, Mr. Wiley was from.

17 Q. So you saw no ties -- you knew nothing
18 about them having any ties to Memphis?

19 A. Let me do my best to do the Thompson and
20 Wiley thing, I got some documents said that, I think
21 the business, I'm not for sure where the business was
22 located at, their front. I don't know. I don't
23 know -- I don't even know where he was living at at
24 that particular time, Mr. Thompson nor Mr. Wiley.

25 Q. You had no information at this point in

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1 your thorough detailed investigation that either of
2 these gentlemen happened to be from Memphis?

3 MR. WOLF: Objection to the form.

4 Vague as to time, argumentative, misstates the prior
5 testimony.

6 Q. (Mr. Tanner) Was your investigation into
7 these gentlemen detailed and thorough?

8 A. It was detailed.

9 Q. Was it thorough?

10 A. It all depends. What are you referring to?
11 First on Thompson and Wiley?

12 Q. Yes, sir.

13 A. I pulled documents off the internet, I
14 pulled documents I needed to pull, background, et
15 cetera, on individuals.

16 Q. Yeah. And as a law enforcement officer you
17 have a lot of resources at your disposal, don't you?

18 A. That's correct.

19 Q. NCIC?

20 A. Yes, sir.

21 Q. III?

22 A. That's correct.

23 Q. And if you believe people are into criminal
24 activity, one of the things you undoubtedly would
25 have done is pull criminal background checks, right?

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1 A. That's correct.

2 Q. All right. Did you pull NCIC on these
3 guys?

4 A. I did.

5 Q. NCIC didn't tell you anything about where
6 these guys were from?

7 A. It told me something but to be honest with
8 you, I can't remember now. It has been -- man, I
9 mean, February 2014. So we're almost in 2017. I
10 can't remember unless it's something in front of me.

11 Q. Well, you know what, Mr. Wiley's I.D., you
12 would have seen that, right?

13 A. Yeah. I seen it. I ran his license.

14 Q. Right. That's part of the normal
15 background checks that y'all run, right?

16 A. Yes.

17 Q. What state was that license from, sir?

18 A. I'm sorry. I really can't remember.
19 Tennessee or Mississippi. I don't know. You got to
20 understand, it has been a while. I've been retired
21 for a minute. I don't know. I know his license came
22 back reinstate -- it's something that was crazy.
23 Eligible for reinstatement, and I didn't understand
24 what that meant.

25 Q. From what state, sir?

1 A. Sir, I don't know.

2 Q. You don't know?

3 A. Not right now I don't know. I really
4 don't. I'm being honest with you. It was either
5 Tennessee or Mississippi, one of the two, but I
6 can't --

7 Q. You're sure about that?

8 A. I don't know. I don't have it in front of
9 me.

10 Q. So other than your saying it, you weren't
11 in a vehicle that would have shown us by recorded
12 video that Mr. Wiley was weaving in and out of
13 traffic or whatever you say?

14 A. No, sir.

15 Q. All right. When you say he was weaving in
16 and out of traffic, tell us what you mean by that.

17 A. He was going side -- 61, we got a
18 four-lane. You're traveling north, you got two
19 lanes. Of course, if you're traveling south you got
20 two lanes. Mr. Wiley was traveling north. He was in
21 the westbound lane. Then he'd come from the
22 westbound lane and he'd come over in the eastbound,
23 then he would ride the center line. Then he'd go
24 from both lanes. I thought he was drunk literally.
25 That's what I mean weaving.